

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

**FARM SANCTUARY; ANIMAL LEGAL
DEFENSE FUND; ANIMAL OUTLOOK;
ANIMAL WELFARE INSTITUTE;
COMPASSION IN WORLD FARMING;
FARM FORWARD; and MERCY FOR
ANIMALS, INC.,**

Plaintiffs,

v.

SONNY PERDUE, in his official capacity as
Secretary of Agriculture; and **UNITED
STATES DEPARTMENT OF
AGRICULTURE; FOOD SAFETY AND
INSPECTION SERVICE**; and **PAUL
KIECKER**, in his official capacity as Food
Safety and Inspection Service Administrator,

Defendants.

Civil Action No.: 6:20-cv-06081

The Honorable Frank P. Geraci, Jr.

**NOTICE OF FILING CORRECTED DECLARATIONS
OF GENE BAUR AND DENA JONES
IN SUPPORT OF PLAINTIFFS' OPPOSITION TO MOTION TO DISMISS**

Plaintiffs are submitting the attached corrected declarations to replace the Declarations of Gene Baur (ECF No. 16-1) and Dena Jones (ECF No. 16-3) filed on May 13, 2020, in support of Plaintiffs' Opposition to Defendants' Motion to Dismiss, ECF No. 16. In Defendants' Reply in Support of Defendants' Motion to Dismiss, Defendants identify "computational errors in at least one of Plaintiffs' Declarations." ECF No. 18 at page 18. The errors were typographical, resulting from Plaintiffs' inadvertent misplacement of commas and a decimal point in two figures in the declarations. Defendants have consented to Plaintiffs filing corrected declarations.

The Corrected Declaration of Gene Baur corrects the misplaced comma in the figure in paragraph 21 (from 5,715,600 to 571,560) and the misplaced decimal point in the figure in paragraph 22 (from .025% to .25%). The Corrected Declaration of Dena Jones likewise corrects the misplaced comma in the figure in paragraph 15 (from 5,715,600 to 571,560).

These corrections are consistent with paragraph 1 of the First Amended Complaint (noting “the more than half million pigs who arrive annually at slaughterhouses in the United States unable to rise or walk”). ECF No. 13.

No other changes have been made to the declarations.

A complete copy of the corrected declarations are attached.

Dated June 1, 2020

Respectfully submitted,

/s/ Delcianna J. Winders

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CERTIFICATE OF SERVICE

I hereby certify that on June 1, 2020, I electronically filed the foregoing NOTICE OF FILING CORRECTED DECLARATIONS OF GENE BAUR AND DENA JONES IN SUPPORT OF PLAINTIFFS' OPPOSITION TO MOTION TO DISMISS with the Clerk of the Court using the CM/ECF system, which will send notification of this filing to the attorneys of record and all registered participants.

/s/ Delcianna J. Winders

Delcianna J. Winders